

MONDAY, APRIL 11, 1988

EIGHTY-FIRST LEGISLATIVE DAY

The House met at 5:00 p.m. and was called to order by Mr. Speaker Murray.

The proceedings were opened with prayer by Jimmy Moffett, Raleigh Church of Christ, Memphis, Tennessee, guest of Representative Dan Byrd.

Representative Dan Byrd led the House in the Pledge of Allegiance to the Flag.

The roll call was taken with the following results:

Present 96

Representatives present were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 96.

The Speaker announced that Representative Jared was excused because of personal business.

The Speaker announced that Representative Lawson was excused because of illness.

The Speaker announced that Representative Napier was excused because of the Board of National Association of Conservation Districts meeting.

HOUSE BILL RETURN REQUESTED

Rep. Head moved that the Clerk request the Secretary of State to return to the House, House Bill No. 2241, inadvertently enrolled without the Senate having considered the action of the House on Senate Amendment No. 1, which motion prevailed.

MESSAGE FROM SENATE

MR. SPEAKER: I am directed to request the return of House Bill No. 2011, for further consideration.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

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HOUSE BILL RETURNED

Rep. Pruitt moved that the Clerk be directed to return House Bill No. 2011 to the Senate as requested, which motion prevailed.

MESSAGE FROM SENATE

MR. SPEAKER: I am directed to request the return of House Bill No. 1938, for further consideration.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

HOUSE BILL RETURNED

Rep. West moved that the Clerk be directed to return House Bill No. 1938 to the Senate as requested, which motion prevailed.

RULES SUSPENDED

Rep. Tanner moved to suspend Rule 81 (1), relative to the time of placing bills on notice in Committee, so that House Bill No. 2399 can be heard by the Judiciary Committee on Tuesday, April 12, 1988, which motion prevailed.

BILL RECALLED

Rep. Bragg moved that, pursuant to Rule No. 54, the Clerk request the return of House Bill No. 1745 from the Senate, which motion prevailed.

REGULAR CALENDAR

House Bill No. 1791 -- Election Laws -- Effects administrative changes in election laws, makes uniform the boundary distance within which certain election activity is prohibited. Amends TCA, Title 2.

Rep. Burnett moved that House Bill No. 1791 be reset on the Calendar for Monday, April 18, 1988, which motion prevailed.

House Bill No. 2406 -- Business and Commerce -- Establishes fiduciary relationship in certain personal services contracts; creates penalty.

Rep. Naifeh moved that House Bill No. 2406 be passed on third and final consideration.

Rep. Tanner moved to amend as follows:

Amendment No. 1

Amend House Bill No. 2406 by deleting Section 1 in its entirety and substituting instead the following new Section 1:

Section 1. A fiduciary relationship is created by and between the provider of personal services for a fee or consideration and the recipient of such services. Upon the creation of any such fiduciary relationship, the provider of such personal services shall disclose to the recipient of such services all refunds, commissions, profits and other forms of remuneration if any, as well as the amount thereof, that the provider may receive from any person who supplies labor, material, merchandise, or other goods and services arising from such personal services.

AND FURTHER AMEND by deleting from Section 2 the words "under the agreement" from the second sentence.

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Naifeh moved that House Bill No. 2406, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	94
Noes.	0
Present and not voting.	1

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Nance, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 94.

Representative present and not voting was: Naifeh -- 1.

A motion to reconsider was tabled.

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***House Bill No. 1625** -- Crime, Victims of -- Requires annual evaluation of criminal injury compensation fund to determine if fund is sufficient to permit supplemental awards; determines what constitutes single criminal act. Amends TCA, Title 29, Ch. 13, Pt. 1.

On motion, House Bill No. 1625 was made to conform with Senate Bill No. 1996.

On motion, **Senate Bill No. 1996**, on same subject, was substituted for House Bill No. 1625.

Rep. Tanner moved passage of Senate Bill No. 1996 on third and final consideration, which motion prevailed by the following vote:

Ayes.....	94
Noes.....	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frenseley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner, C. (Shelby), Turner, L. (Shelby), Usery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 94.

A motion to reconsider was tabled.

PRESENT IN CHAMBER

Representatives May and Davis (Knox) were recorded as being present in the Chamber.

REGULAR CALENDAR, CONTINUED

* **House Bill No. 2120** -- Agriculture and Horticulture -- Revises ginseng regulations. Amends TCA, Title 62, Ch. 28.

On motion, House Bill No. 2120 was made to conform with Senate Bill No. 2270.

On motion, **Senate Bill No. 2270**, on same subject, was substituted for House Bill No. 2120.

Rep. Jackson moved passage of Senate Bill No. 2270 on third and final consideration, which motion prevailed by the following vote:

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Ayes.....	93
Noes.....	1

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 93.

Representative voting no was: Winningham -- 1.

A motion to reconsider was tabled.

***House Bill No. 1460** -- Employment Security, Dept. of -- Requires employer or insurer to notify employee the grounds upon which the employee's compensation settlement is based in workers' compensation claims. Amends TCA 50-6-204.

Rep. Burnett moved that House Bill No. 1460 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....	96
Noes.....	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 96.

A motion to reconsider was tabled.

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House Bill No. 2092 — Boards and Commissions — Includes court appointed attorney within definition of "state employee" for eligibility purposes for defense counsel payment under certain circumstances. Amends TCA, Title 8, Ch. 42, Pt. 1.

On motion, House Bill No. 2092 was made to conform with Senate Bill No. 1659.

On motion, **Senate Bill No. 1659**, on same subject, was substituted for House Bill No. 2092.

Rep. Burnett moved that the Senate Bill No. 1659 be passed on third and final consideration.

Rep. Duer moved to amend as follows:

Amendment No. 1

Amend Senate Bill No. 1659 by adding the following new section immediately preceding the effective date section and numbering the sections accordingly:

Section __. Tennessee Code Annotated, Section 8-42-101, is amended by adding the following to the end of subsection (a)(3):

"State employee" also includes any physician or surgeon who is licensed in Tennessee whenever such physician or surgeon is engaged in the actual treatment of a medicaid recipient.

Rep. Burnett moved that Amendment No. 1 be tabled, which motion prevailed by the following vote:

Ayes	51
Noes	38
Present and not voting	3

Representatives voting aye were: Bell, Bragg, Burnett, Bushing, Byrd, Cain, Clark, Collier, Cross, Curlee, Davidson, Davis (Gibson), DeBerry, DePriest, Dixon, Drew, Ellis, Gaia, Garrett, Head, Herron, Hillis, Hobbs, Holt, Ivy, Jones, R. (Shelby), Jones, U. (Shelby), King, Kisber, Love, Miller, Moody, Moore (Lawrence), Naifeh, Odom, Phillips, Pruitt, Purcell, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Stallings, Tanner, Turner, C. (Shelby), Turner, L. (Shelby), West, Wheeler, Winningham, Wix, Yelton, Mr. Speaker Murray — 51.

Representatives voting no were: Bewley, Bivens, Chiles, Coffey, Crain, Davis (Cocke), Davis (Knox), Duer, Frensley, Good, Harrill, Hassell, Hawkins, Henry, Holcomb, Hurley, Huskey, Jackson, Kent, May, McAfee, Montgomery, Nance, Peroulaas, Rhinehart, Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Starnes, Swann, Tankersley, Webb, Whitson, Williams, Wolfe, Wood — 38.

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Representatives present and not voting were: Kernell, Long, Moore (Shelby)
-- 3.

Thereupon, Rep. Burnett moved that Senate Bill No. 1659 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	84
Noes.	10
Present and not voting.	1

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, May, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Odom, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Stallings, Starnes, Swann, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wood, Yelton, Mr. Speaker Murray -- 84.

Representatives voting no were: Chiles, Duer, Hawkins, Montgomery, Nance, Peroulas, Scruggs, Stafford, Tankersley, Wolfe -- 10.

Representative present and not voting was: Long -- 1.

A motion to reconsider was tabled.

House Bill No. 1785 -- Teachers -- Reduces continuing education requirements for certain teachers; repeals regional certification commission. Amends TCA, Title 49, Ch. 5, Pts. 50--57.

On motion, House Bill No. 1785 was made to conform with Senate Bill No. 1998.

On motion, **Senate Bill No. 1998**, on same subject, was substituted for House Bill No. 1785.

, Rep. Burnett moved passage of Senate Bill No. 1998 on third and final consideration, which motion prevailed by the following vote:

Ayes.	95
Noes.	0

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Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, Kisber, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 95.

A motion to reconsider was tabled.

House Bill No. 1940 -- Labor -- Broadens types of education institutions which may have payroll deduction for employee associations. Amends TCA 8-23-204.

Rep. Burnett moved that House Bill No. 1940 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....	83
Noes.....	10

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Clark, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Long, May, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Odom, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Shirley, Stallings, Starnes, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Yelton, Mr. Speaker Murray -- 83.

Representatives voting no were: Chiles, Coffey, Davis (Knox), Peroulas, Scruggs, Severance, Stafford, Swann, Tankersley, Wood -- 10.

A motion to reconsider was tabled.

***House Bill No. 2347 -- Business and Commerce -- Enacts Small Business Protection Act. Amends TCA, Titles 13, 66.**

Rep. Frensley moved that House Bill No. 2347 be reset on the Calendar for Wednesday, April 20, 1988, which motion prevailed.

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***Senate Bill No. 1820 -- Education, Higher -- Fixes all higher education board terms at four years. Amends TCA, Title 49, Chs. 7--9.**

Further consideration of Senate Bill No. 1820, previously considered on Monday, April 4, 1988, at which time it was substituted for House Bill No. 2251.

Rep. Davis (Gibson) moved that Senate Bill No. 1820 be reset on the Calendar for Wednesday, April 20, 1988, which motion prevailed.

House Bill No. 2416 -- Housing -- Revises Tennessee Housing Development Agency Act. Amends TCA, Title 13, Ch. 23, 67-4-409.

Rep. Miller moved that House Bill No. 2416 be passed on third and final consideration.

Rep. Miller moved to amend as follows:

Amendment No. 1

House Bill No. 2416 Section 1 is amended by deleting it in its entirety and substituting lieu thereof the following:

Section 1. Tennessee Code Annotated Section 13-23-102 is amended by deleting all of the language of the first sentence of the section prior to Item (1) and substituting instead the following language:

"In order to promote the production of more affordable new housing units for very low, low and moderate income individuals and families in the state; to promote the preservation and rehabilitation of existing housing units for such persons; and to bring greater stability to the residential construction industry and related industries so as to assure a steady flow of production of new housing units, the Tennessee housing development agency shall be given the power to raise funds from private investors through issuance of its bonds and notes and to use such funds along with investment income, and monies from other public and private sources to:"

This section is further amended by adding a new item (6) to read as follows:

- "(6) Make grants to eligible political subdivisions. as defined by this act, and to such private non-profit corporations that provide housing and related services in the state; however, such grants must be for purposes which are consistent with the purposes and mission of the agency, and must be allocated and administered in a fashion and manner as is directed by the agency through appropriate rules, regulations and proceedings."

Section 2 is amended by deleting it in its entirety.

Section 3 is amended by deleting the amendatory language therein in its entirety and substituting in lieu thereof the following:

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"(a)(1) The Governor shall appoint the following members of the agency, who shall be citizens of the state and shall not hold public office: one (1) licensed real estate broker; one (1) person engaged in the savings and loan association profession; one (1) person engaged in the mortgage banking profession; one (1) person engaged in the retail building material supply profession; one (1) person engaged in the homebuilding profession; one (1) executive director of a local public housing authority; one (1) person representing local governments; one (1) person from a qualifying not-for-profit corporation; and three (3) persons from the public at large who are knowledgeable about the problems of inadequate housing conditions in the state. When making appointments, the Governor shall give due consideration to geographic distribution of the members of the agency to ensure that all parts of the state are adequately represented."

Section 5 is amended by deleting it in its entirety and substituting the following language:

"Tennessee Code Annotated Section 13-23-110 is amended by deleting from the first sentence the word and figure "six (6)" and substituting instead the following:

"seven (7)"

This section is further amended by deleting from the second sentence the word and figure "eight (8)" and substituting instead the following:

"nine (9)"

Section 6 is amended by deleting it in its entirety and substituting the following:

"Tennessee Code Annotated Section 13-23-112 is amended by adding the following new subsections:

() The treasurer of the state of Tennessee shall be the treasurer of the agency. The treasurer shall be the custodian of the assets of the agency except for those assets required by contracts with bondholders to be in the custody of the trustee. The board of directors shall set the investment policy for agency assets and the treasurer shall be responsible for making investments in accordance with such policy. The treasurer may delegate all or a portion of these duties and responsibilities to the executive director.

() The secretary of the bond finance committee shall, subject to the policies of the board of directors and bond finance committee, be responsible for the execution of all matters relating to the issuance and servicing of the bonds and notes of the agency. The secretary of the bond finance committee may delegate these duties and responsibilities to the executive director."

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Section 7 is amended by adding the following language:

"This section is further amended by adding a new item (31) as follows:

"(31) To make grants to eligible political subdivisions and to such private non-profit corporations that provide housing and related services in the state consistent with the purposes and mission of the agency."

Section 11 is amended by adding the following language to the d of the first unnumbered section therein:

"It is the legislative intent that these funds not be depleted through any program of grants or subsidies. Furthermore, these funds shall not be commingled with the proceeds of any bond issue of the agency which are required to be held by the trustee."

Section 11 is further amended by adding the following sentence the end of the second unnumbered section:

"The allocation of taxes directed by items (2) and (3) of this section shall cease to be authorized effective July 1, 1991."

Section 11 is further amended by inserting a new item (3) in the third unnumbered section thereof to read as follows:

"(3) To pay certain expenses of bond issues and to support future bond issues by making additions to the loan funds in order to make loans at a lower interest rate for targeted low income and special need groups, when determined appropriate by the bond finance committee and approved by the board."and renumbering the existing item (3) and subsequent items accordingly.

Section 11 is further amended by deleting the word "shall" from the first sentence in the renumbered item (5) of the third unnumbered Section and substituting instead the word "may".

Section 11 is further amended by deleting item (a) of the fifth numbered section in its entirety and substituting instead the following:

"Section (a) Local housing programs may be established by any eligible political subdivision, as defined by this act, or any local agency thereof which may be authorized to operate such programs pursuant to ordinance or resolution of the applicable legislative body. Such programs shall exist for the exclusive purpose of increasing the availability of adequate housing for very low, low and moderate income households, and may include new construction of housing units, rehabilitation of existing housing units and conversion of existing publicly owned or donated structures. When funds from the Tennessee housing development agency are being used by local housing programs to provide assistance, then the projects or activities shall comply with applicable rules and regulations of the agency."

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Section 11 is further amended by deleting the sixth unnumbered Section in its entirety and substituting instead the following:

"Section _____. In order to assist the local housing programs authorized pursuant to this part, the agency is authorized to: (1) provide technical assistance to local programs; (2) develop demonstration projects for serving very low, low and moderate income persons and families; (3) encourage cost effective designs of very low, low and moderate income housing; (4) provide rehabilitation and construction financing from the Assets Fund and the Housing Program Reserve Fund at rates consistent with Section ____ of this act; (5) give priority for mortgage funds made available through the mortgage revenue bonds of the agency, to housing developed by local housing programs; (6) in conjunction with the Department of Correction, implement mutually beneficial housing assistance programs for development of additional housing for very low, low and moderate income households under this part, utilizing inmates and other vocational training resources; and (7) in conjunction with the Department of Economic and Community Development, support the funding of applications for community development block grants for housing submitted by eligible applicants for eligible projects."

Section 12 is amended by deleting the word "the" where it last pears in that section and substituting instead the word "this".

Section 13, Item (1), is amended by deleting it in its entirety and substituting instead the following:

(1) "Eligible political subdivision" means a county, metropolitan government, municipality receiving community development block grant funds directly from the United States Department of Housing and Urban Development, a municipality in a county not otherwise applying, or a consortium of such eligible political subdivisions."

Section 14 is amended by deleting it in its entirety and substituting instead the following:

Tennessee Code Annotated Section 67-4-409 is amended by inserting in the first sentence of subsection (a) between the word and symbol "thereof," and the word "as" the following language:

"except that until July 1, 1991, the tax shall be thirty-three cents (33¢) per one hundred dollars (\$100), or major fraction thereof,"

Tennessee Code Annotated Section 67-4-409 is further amended by changing the period to a comma at the end of the first sentence in subsection (b) and adding the following language:

"except that until July 1, 1991, the tax shall be eleven and one-half cents (11 1/2¢) on each one hundred dollars (\$100) or major fraction thereof of the indebtedness so evidenced."

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AND FURTHER AMEND by amending Tennessee Code Annotated Section 13-23-111 by deleting from the first sentence thereof the words "members of the agency appointed by the governor" and substituting the following:

"appointed members of the agency"

AND FURTHER AMEND by adding to Tennessee Code Annotated Section 13-23-120(e)(3) a new item to read as follows:

"(C) It shall be the duty and responsibility of the bond finance committee to periodically review and evaluate the performance of the agency's trustee and report its findings and recommendations to the board of directors."

AND FURTHER AMEND by amending Tennessee Code Annotated Section 13-23-120 by deleting from the last sentence in subsection (f) the words "as provided in §45-2-607" and substituting instead the following language:

"in the same manner as permitted by law for the investment of state funds"

AND FURTHER AMEND by amending Tennessee Code Annotated Section 13-23-121(a) by deleting the number "one billion three hundred thirty-two million dollars (\$1,332,000,000)" from the first sentence and substituting the following number:

"one billion five hundred fifty million dollars (\$1,550,000,000)"

Rep. Bragg moved to amend as follows:

Amendment No. 1 to Amendment No. 1

Amend Senate Bill No. 2416 by adding at the end of the amendatory language in Section 3, as amended by amendment number 1, the following additional language:

"Provided, however, with respect to the three (3) persons appointed from the public at large, one (1) person shall be from the first, second or third congressional district, one (1) person shall be from fourth, fifth or sixth congressional district and one (1) person shall be from the seventh, eight or ninth congressional district."

AND FURTHER AMEND by adding to the end of the first unnumbered section of Section 11, as amended by amendment number 1, the following:

"The board of directors of the agency may withdraw such funds from the assets fund as it deems necessary."

AND FURTHER AMEND by adding a new unnumbered section at the end of Section 11, as amended by amendment number 1, to read as follows:

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Section ____ . All of the unnumbered sections in the amendatory language of Section 11 of this act, shall cease to be authorized on July 1, 1991. The board of directors, with the approval of the commissioner of finance and administration and the state comptroller shall make appropriate disposition of the fund balances remaining on that date.

On motion, Amendment No. 1 to Amendment No. 1 was adopted.

Rep. Miller moved to adopt Amendment No. 1 as amended, which motion prevailed.

Thereupon, Rep. Miller moved that House Bill No. 2416, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	86
Noes.	5

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Huskey, Ivy, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Long, Love, May, McAfee, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Odom, Peroulas, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 86.

Representatives voting no were: Duer, Hawkins, Hurley, Montgomery, Severance -- 5.

A motion to reconsider was tabled.

***House Bill No. 2451 -- Zoning --** Changes time for adverse action on zoning changes by regional planning commission. Amends TCA 13-7-1005.

Rep. Holt moved that House Bill No. 2451 be passed on third and final consideration, which motion prevailed by the following vote:

*Ayes.	95
Noes.	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Long, Love, May, McAfee, Miller,

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Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 95.

A motion to reconsider was tabled.

House Bill No. 1871 -- Judicial Officers -- Creates additional criminal investigator position for tenth judicial district.

On motion, House Bill No. 1871 was made to conform with Senate Bill No. 1896.

On motion, **Senate Bill No. 1896**, on same subject, was substituted for House Bill No. 1871.

Rep. Webb moved passage of Senate Bill No. 1896 on third and final consideration, which motion prevailed by the following vote:

Ayes.	92
Noes.	2

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Crain, Cross, Curlee, Davidson, Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Ivy, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Long, Love, May, McAfee, Miller, Montgomery, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 92.

Representatives voting no were: Davis (Cocke), Huskey -- 2.

A motion to reconsider was tabled.

House Bill No. 0108 -- Taxes, Business -- Allows certain mall operators selling antiques to obtain a minimum business tax license. Amends TCA 67-4-709.

On motion, House Bill No. 108 was made to conform with Senate Bill No. 43.

On motion, **Senate Bill No. 43**, on same subject, was substituted for House Bill No. 108.

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Rep. Swann moved passage of Senate Bill No. 43 on third and final consideration, which motion prevailed by the following vote:

Ayes.....	95
Noes.....	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, Kisber, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 95.

A motion to reconsider was tabled.

***House Bill No. 1526** -- Highways, Roads and Bridges -- Adds portion of Alcoa Highway to Scenic Highway System Act of 1971. Amends TCA 54-17-114.

On motion, House Bill No. 1526 was made to conform with Senate Bill No. 1832.

On motion, **Senate Bill No. 1832**, on same subject, was substituted for House Bill No. 1526.

Rep. Swann moved passage of Senate Bill No. 1832 on third and final consideration, which motion prevailed by the following vote:

Ayes.....	96
Noes.....	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 96.

A motion to reconsider was tabled.

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House Bill No. 1662 -- Motor Vehicles, Titling and Registration -- Changes certain requirements for registering or obtaining licenses for certain motor vehicles. Amends TCA 55-4-111, 116, 117.

On motion, House Bill No. 1662 was made to conform with Senate Bill No. 1748.

On motion, **Senate Bill No. 1748**, on same subject, was substituted for House Bill No. 1662.

Rep. Swann moved passage of Senate Bill No. 1748 on third and final consideration, which motion prevailed by the following vote:

Ayes.....	84
Noes.....	4
Present and not voting.....	5

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Clark, Coffey, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DePriest, Dixon, Drew, Ellis, Frensey, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Hillis, Holt, Hurley, Huskey, Ivy, Jackson, Jones, U. (Shelby), Kent, Kernell, King, Kisber, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Wix, Wolfe, Wood -- 84.

Representatives voting no were: DeBerry, Hobbs, Jones, R. (Shelby), Yelton -- 4.

Representatives present and not voting were: Chiles, Herron, Holcomb, Winningham, Mr. Speaker Murray -- 5.

A motion to reconsider was tabled.

House Bill No. 2449 -- Cookeville -- Revises terms of office of trustees of Cookeville General Hospital. Amends Chapter 223, Private Acts of 1961, as amended.

Due to the absence of Rep. Jared, House Bill No. 2449 was reset on the Calendar for Monday, April 18, 1988.

House Bill No. 1559 -- Insurance, Motor Vehicles -- Limits definition of motor vehicle for purposes of the uninsured motorist insurance law. Amends TCA 56-7-1201, 1202.

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On motion, House Bill No. 1559 was made to conform with Senate Bill No. 1722.

On motion, **Senate Bill No. 1722**, on same subject, was substituted for House Bill No. 1559.

Rep. Buck moved passage of Senate Bill No. 1722 on third and final consideration, which motion prevailed by the following vote:

Ayes.	93
Noes.	1

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 93.

Representative voting no was: Herron -- 1.

A motion to reconsider was tabled.

House Bill No. 2494 -- Mass Transit -- Establishes regional transportation authority.

Rep. Robinson (Davidson) moved that House Bill No. 2494 be passed on third and final consideration.

Rep. Hobbs moved to amend as follows:

Amendment No. 1

Amend House Bill No. 2494 by deleting the words and figures "nine thousand (9,000)" in the first sentence of the original Section 2(a) and by substituting instead the words and figures "four thousand (4,000)".

AND FURTHER AMEND by inserting the words "town which is a county seat and the mayor of each" immediately following the words "mayor of each" in the first sentence of the original Section 2(a).

On motion, Amendment No. 1 was adopted.

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Thereupon, Rep. Robinson (Davidson) moved that House Bill No. 2494, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....	94
Noes.....	0

Representatives voting aye were: Bell, Bewley, Bivens, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 94.

A motion to reconsider was tabled.

HOUSE BILL RETURNED

MR. CLERK:

Pursuant to the request of the House of Representatives, I hereby transmit House Bill No. 2241 which had been assigned Public Chapter No. 662, to you for further action by the General Assembly.

/s/ Gentry Crowell,
Secretary of State.

REGULAR CALENDAR, CONTINUED

House Joint Resolution 0667 -- Memorials, Public Service -- Honors GTE Corporation for its literacy campaign.

Rep. Duer moved that House Joint Resolution No. 667 be adopted, with the request that all members be added as sponsors, which motion prevailed by the following vote:

Ayes.....	92
Noes.....	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Coffey, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis,

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Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 92.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bill No. 1928 passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

Senate Bill No. 1928 -- Teachers -- Establishes pilot student loan program to encourage teachers to teach in certain areas. Amends TCA, Title 49, Ch.4 by *Moore, C.

REGULAR CALENDAR, CONTINUED

House Bill No. 1837 -- Teachers -- Establishes pilot student loan program to encourage teachers to teach in certain areas. Amends TCA, Title 49, Ch. 4.

On motion, House Bill No. 1837 was made to conform with Senate Bill No. 1928.

On motion, **Senate Bill No. 1928**, on same subject, was substituted for House Bill No. 1837.

Rep. Tanner moved passage of Senate Bill No. 1928 on third and final consideration, which motion prevailed by the following vote:

Ayes.	94
Noes.	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance,

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Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 94.

A motion to reconsider was tabled.

House Bill No. 2333 -- Civil Service -- Establishes civil service rights of involuntarily transferred state employees. Amends TCA 4-4-102, 8-30-320.

On motion, House Bill No. 2333 was made to conform with Senate Bill No. 2043.

On motion, **Senate Bill No. 2043**, on same subject, was substituted for House Bill No. 2333.

Rep. Tanner moved passage of Senate Bill No. 2043 on third and final consideration, which motion prevailed by the following vote:

Ayes.	94
Noes.	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Odom, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 94.

A motion to reconsider was tabled.

***House Bill No. 1666** -- Game and Fish Laws -- Prohibits use of cable snare traps. Amends TCA, Title 70, Ch. 4.

On motion, House Bill No. 1666 was made to conform with Senate Bill No. 1888.

On motion, **Senate Bill No. 1888**, on same subject, was substituted for House Bill No. 1666.

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Rep. Jackson moved passage of Senate Bill No. 1888 on third and final consideration, which motion prevailed by the following vote:

Ayes.	88
Noes.	4
Present and not voting.	2

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kernell, King, Kisber, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 88.

Representatives voting no were: Naifeh, Nance, Ridgeway, Stallings -- 4.

Representatives present and not voting were: Buck, Head -- 2.

A motion to reconsider was tabled.

House Bill No. 1857 -- Alcoholic Beverages -- Permits alcoholic beverage sales during brunches and buffets on Sunday. Amends TCA 57-4-203.

Mr. Speaker Murray relinquished the Chair to Rep. DeBerry, Speaker Pro Tempore.

On motion, House Bill No. 1857 was made to conform with Senate Bill No. 1556.

On motion, **Senate Bill No. 1556**, on same subject, was substituted for House Bill No. 1857.

Thereupon, Rep. King moved passage of Senate Bill No. 1556 on third and final consideration, which motion failed by the following vote:

Ayes.	43
Noes.	47
Present and not voting.	3

Representatives voting aye were: Bell, Bewley, Buck, Burnett, Bushing, Cain, Chiles, Clark, Coffey, Cross, Davis (Knox), DeBerry, DePriest, Dixon, Drew, Ellis,

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Frensley, Gaia, Garrett, Good, Hillis, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, May, Naifeh, Purcell, Robinson (Washington), Severance, Stafford, Tanner, Turner, L. (Shelby), Webb, West, Wheeler, Whitson, Williams, Winningham, Mr. Speaker Murray -- 43.

Representatives voting no were: Bivens, Bragg, Byrd, Collier, Copeland, Crain, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Duer, Harrill, Hassell, Hawkins, Henry, Herron, Hobbs, Holcomb, Holt, Hurley, Huskey, Jackson, Long, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Nance, Odom, Peroulas, Phillips, Rhinehart, Ridgeway, Scruggs, Shirley, Stallings, Starnes, Tankersley, Turner (Hamilton), Turner, C. (Shelby), Ussery, Wix, Wolfe, Wood, Yelton -- 47.

Representatives present and not voting were: Head, Robinson (Hamilton), Swann -- 3.

Pursuant to **Rule No. 39**, Senate Bill No. 1556, having failed to receive a constitutional majority, is re-referred to the Calendar and Rules Committee.

REQUEST TO CHANGE VOTE

MR. SPEAKER: Pursuant to **Rule No. 31**, I wish to express a desire to change my original stand from not voting to aye on Senate Bill No. 2043 and have this statement entered in the Journal.

Bill Purcell

REQUEST TO CHANGE VOTE

MR. SPEAKER: Pursuant to **Rule No. 31**, I wish to express a desire to change my original stand from aye to no on Senate Bill No. 1556 and have this statement entered in the Journal.

Joe Kent

REQUEST TO CHANGE VOTE

MR. SPEAKER: Pursuant to **Rule No. 31**, I wish to express a desire to change my original stand from aye to no on Senate Bill No. 1556 and have this statement entered in the Journal.

Zane Whitson

REQUEST TO CHANGE VOTE

MR. SPEAKER: Pursuant to **Rule No. 31**, I wish to express a desire to change my original stand from aye to no on Senate Bill No. 1556 and have this statement entered in the Journal.

Les Winningham

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REQUEST TO CHANGE VOTE

MR. SPEAKER: Pursuant to **Rule No. 31**, I wish to express a desire to change my original stand from aye to no on Senate Bill No. 1556 and have this statement entered in the Journal.

J. K. Davis (Knox)

REGULAR CALENDAR, CONTINUED

House Bill No. 2156 -- Taxes, Hotel Motel -- Limits jurisdiction of privilege taxes on occupancy of hotels. Amends TCA, Title 67.

Rep. Murray moved that House Bill No. 2156 be passed on third and final consideration.

Rep. Starnes moved to amend as follows:

Amendment No. 1

Amend House Bill No. 2156 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section __. The provisions of this act shall not apply in any county having a population of not less than 287,700 nor more than 287,800 according to the 1980 federal census or any subsequent federal census.

On motion, Amendment No. 1 was adopted.

Rep. Dixon moved to amend as follows:

Amendment No. 2

Amend House Bill No. 2156 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section __. The provisions of this act shall not apply in any county having a population of not less than 770,000 nor more than 780,000 according to the 1980 federal census or any subsequent federal census.

On motion, Amendment No. 2 was adopted.

Thereupon, Rep. Murray moved that House Bill No. 2156, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

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Ayes. 92
Noes. 2

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, Kisber, Long, Love, May, McAfee, Miller, Montgomery, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 92.

Representatives voting no were: Henry, Moody -- 2.

A motion to reconsider was tabled.

CONSENT CALENDAR

House Bill No. 1528 -- Motor Vehicles, Titling and Registration -- Revises definition of temporary operation permit. Amends TCA 55-4-115.

On motion, House Bill No. 1528 was made to conform with Senate Bill No. 1738.

On motion, **Senate Bill No. 1738**, on same subject, was substituted for House Bill No. 1528.

***House Resolution No. 0097** -- General Assembly, Review Or Ratification of Rules -- Approves amendments and revisions to Tennessee Rules of Criminal Procedure.

***House Resolution No. 0096** -- Civil Procedure -- Approves rules of civil procedure promulgated by Supreme Court.

***House Bill No. 1986** -- Taxes, Excise -- Revises definition of corporate "net earnings" for purposes of excise taxes. Amends TCA 67-4-803, 805.

On motion, House Bill No. 1986 was made to conform with Senate Bill No. 2206.

On motion, **Senate Bill No. 2206**, on same subject, was substituted for House Bill No. 1986.

***House Joint Resolution 0627** -- Memorials, Government Officials -- Requests department of health and environment to study recycling of solid waste.

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House Bill No. 1942 -- Hospitals and Health Care Facilities -- Assesses penalty against certain health providers who do not adopt uniform classification of accounts. Amends TCA, Titles 12, 71.

On motion, House Bill No. 1942 was made to conform with Senate Bill No. 2167.

On motion, **Senate Bill No. 2167**, on same subject, was substituted for House Bill No. 1942.

House Bill No. 2175 -- Loan Companies -- Enacts "Tennessee Residential Lending Brokerage and Servicing Act of 1988".

House Bill No. 2363 -- Occupational Licenses and Licensing Boards -- Enacts "Electrologists Practice Act". Amends TCA, Title 62, Ch. 34.

House Bill No. 1748 -- Naming and Designating -- Designates bobwhite quail as official state game bird. Amends TCA, Title 4, Ch. 1, Pt. 3.

On motion, **Senate Bill No. 1973**, on same subject, was substituted for House Bill No. 1748.

House Bill No. 2283 -- Banks and Financial Institutions -- Authorizes investment by banks and savings and loan associations in African Development Bank. Amends TCA 45-2-607, 45-3-601.

On motion, **Senate Bill No. 1818**, on same subject, was substituted for House Bill No. 2283.

House Bill No. 2364 -- Motor Vehicles, Titling and Registration -- Provides special registration plates for Shriners. Amends TCA, Title 55, Ch. 4.

On motion, **Senate Bill No. 2249**, on same subject, was substituted for House Bill No. 2364.

House Joint Resolution 0587 -- Naming and Designating -- Designates Sunday, May 1, 1988 as "Ramp Festival Day".

House Bill No. 2490 -- Weakley County -- Levies privilege tax on occupancy of hotels/motels.

House Bill No. 2497 -- Wayne County -- Removes prohibition on number of terms commissioner may serve; regulates filling vacancies on board or office of superintendent. Amends Chapter 89, Private Acts of 1953, as amended.

House Resolution No. 0121 -- Memorials, Sports -- Honors Coopertown Elementary school girl's basketball team on winning state tournament.

House Resolution No. 0122 -- Memorials, Public Service -- Honors Newport Plain Talk on receipt of School Bell award.

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House Resolution No. 0123 -- Memorials, Sports -- Honors John Johnson on being selected to first team All-East Tennessee team chosen the Knoxville News-Sentinel.

House Resolution No. 0124 -- Memorials, Sports -- Honors basketball player Wade Wester.

House Joint Resolution 0676 -- Memorials, Professional Achievement -- Honors Sonny Chambley, President of Preferred Temporary Services.

House Joint Resolution 0677 -- Memorials, Sports -- Honors University of Tennessee Swim Coach Ray Bussard on his retirement.

House Joint Resolution 0678 -- Memorials, Retirement -- Congratulates Henry Reynolds on retirement.

OBJECTION -- CONSENT CALENDAR

Objections were filed to the following on the Consent Calendar:

House Joint Resolution No. 627 was objected to by Rep. West.

House Bill No. 2175 was objected to by Rep. Chiles.

House Bill No. 2363 was objected to by Rep. Chiles.

Under the rules, House Bills Nos. 2175 and 2363 and House Joint Resolution No. 627 were placed at the foot of the calendar for Wednesday, April 13, 1988.

Rep. Phillips moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, and that all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes.	96
Noes.	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 96.

A motion to reconsider was tabled.

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HOUSE ACTION ON SENATE AMENDMENTS

House Bill No. 0513 -- Veterinarians -- Increases certain fees and requirements for licensure as a veterinarian. Amends TCA, Title 63, Ch. 12.

Senate Amendment No. 2

Amend House Bill No. 513 by deleting Section 4 in its entirety and substituting instead the following:

SECTION 4. This act shall take effect July 1, 1988, the public welfare requiring it.

Rep. Starnes moved that the House concur in Senate Amendment No. 2, which motion prevailed by the following vote:

Ayes.	92
Noes.	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Frensey, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 92.

A motion to reconsider was tabled.

***Senate Bill No. 1362 -- Criminal Offenses -- Adds factor of age of elderly victims as element of aggravated rape; increases penalty for such offenses. Amends TCA 39-2-6003.**

Rep. Kisber moved that the House refuse to recede from its action in adopting Amendment No. 1, which motion prevailed.

***House Bill No. 1553 -- Safety -- Creates Tennessee OSHA advisory council. Amends TCA, Title 50, Ch. 3.**

Senate Amendment No. 1

Amend House Bill No. 1553 by deleting the amendatory language of Section 1 in its entirety, and by substituting instead the following language:

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Section __. No economic development shall occur or be authorized within an enterprise zone in any county having a metropolitan form of government and having a population in excess of four hundred fifty thousand (450,000), according to the 1980 federal census or any subsequent federal census, unless a plan has been developed which takes into consideration both the positive and negative aspects of economic development on the community so as to protect the community, citizens, and businesses.

Rep. Love moved that the House concur in Senate Amendment No. 1, which motion prevailed by the following vote:

Ayes.	94
Noes.	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 94.

A motion to reconsider was tabled.

House Bill No. 1687 -- Education -- Increases number of state funded teachers' aides to which LEAs are entitled. Amends TCA, Title 49.

Rep. Starnes moved to lift from the table the motion to reconsider, which motion failed by the following vote:

Ayes.	57
Noes.	32
Present and not voting.	1

*Representatives voting aye were: Bell, Bivens, Bragg, Burnett, Bushing, Byrd, Cain, Clark, Collier, Crain, Cross, Curlee, Davidson, Davis (Gibson), DeBerry, DePriest, Dixon, Ellis, Gaia, Garrett, Head, Herron, Hillis, Hobbs, Holt, Ivy, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kernell, King, Long, Love, McAfee, Miller, Moore (Lawrence), Naifeh, Nance, Odom, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Hamilton), Shirley, Stallings, Tanner, Turner, C. (Shelby), Turner, L. (Shelby), Ussery, West, Wheeler, Winningham, Wix, Wood, Mr. Speaker Murray -- 57.

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Representatives voting no were: Bewley, Chiles, Coffey, Davis (Cocke), Davis (Knox), Drew, Duer, Frensley, Good, Harrill, Hassell, Hawkins, Henry, Holcomb, Hurley, Huskey, Kent, May, Montgomery, Moody, Moore (Shelby), Peroulas, Robinson (Washington), Scruggs, Severance, Stafford, Swann, Tankersley, Webb, Whitson, Williams, Wolfe -- 32.

Representative present and not voting was: Turner (Hamilton) -- 1.

Rep. Starnes requested that House Bill No. 1687 be held on the Clerk's desk.

REQUEST TO CHANGE VOTE

MR. SPEAKER: Pursuant to **Rule No. 31**, I wish to express a desire to change my original stand from aye to no on Senate Bill No. 1556 and have this statement entered in the Journal.

John Tanner

REQUEST TO CHANGE VOTE

MR. SPEAKER: Pursuant to **Rule No. 31**, I wish to express a desire to change my original stand from aye to no on Senate Bill No. 1556 and have this statement entered in the Journal.

Jerry Cross

MESSAGE FROM SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No. 1745, as requested.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No. 2132; substituted for Senate Bill on same subject, amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

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MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No. 2294; substituted for Senate Bill on same subject, amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No. 1604; substituted for Senate Bill on same subject, amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No. 1551; substituted for Senate Bill on same subject, amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

UNFINISHED BUSINESS

RULES SUSPENDED

Rep. Miller moved that the rules be suspended for the purpose of passing House Bill No. 2504 on first consideration, which motion prevailed.

House Bill No. 2504 -- Education -- Establishes the Resource Valley State Technical Community College. Amends TCA, Title 49, Ch. 8. by *Miller, *Severance, *Wheeler, *Burnett, *Swann, *Scruggs.

NOTICE TO ACT ON SENATE AMENDMENTS

Pursuant to **Rule No. 59**, the sponsors gave notice of intent to consider the following measures from the Senate on Wednesday, April 13, 1988:

House Bill No. 1604: Rep. King

House Bill No. 2132: Rep. Rhinehart

House Bill No. 2294: Rep. B Turner (Hamilton)

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NOTICE TO ACT ON SENATE AMENDMENTS

Pursuant to **Rule No. 59**, the sponsor gave notice of intent to consider the following measure from the Senate on Monday, April 18, 1988:

House Bill No. 1551: Rep. Long

BILL RECALLED

Rep. Bragg moved that the rules be suspended for the purpose of recalling Senate Bill 1823 from the State and Local Government Committee for immediate consideration, which motion prevailed.

Senate Bill No. 1823 -- County Development -- Eliminates public notice requirement for county purchase of fuel products. Amends TCA 5-14-108, 5-14-204, 6-56-304.

FURTHER CONSIDERATION OF HOUSE BILL

Rep. Bragg moved to lift from the table the motion to reconsider our action on House Bill No. 1745, which motion prevailed.

House Bill No. 1745 -- County Development -- Eliminates public notice requirement for county purchase of fuel products. Amends TCA 5-14-108, 5-14-204, 6-56-304.

Rep Bragg moved to reconsider our action in passing House Bill No. 1745, which motion prevailed.

On motion, House Bill No. 1745 was made to conform with Senate Bill No. 1823.

On motion, **Senate Bill No. 1823**, on same subject, was substituted for House Bill No. 1745.

Rep. Bragg moved passage of Senate Bill No. 1823 on third and final consideration, which motion prevailed by the following vote:

Ayes.	94
Noes.	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L.

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(Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 94.

A motion to reconsider was tabled.

RULES SUSPENDED

Rep. Starnes moved to suspend **Rule 81 (1)**, relative to the time of placing bills on notice in Committee, so that House Bill No. 1623 can be heard by the General Welfare Committee on Wednesday, April 13, 1988, which motion prevailed.

RULES SUSPENDED

Rep. Ivy moved to suspend **Rule 81 (1)**, relative to the time of placing bills on notice in Committee, so that House Bill 2146 can be heard by the Transportation Committee on Wednesday, April 13, 1988, which motion prevailed.

RULES SUSPENDED

Rep. Coffey moved to suspend **Rule No. 81 (1)**, relative to the time for placing bills on notice in Committee, so that House Bill No. 1709 can be heard by the State and Local Government Committee on Tuesday, April 12, 1988, which motion prevailed.

MOTION TO SUSPEND RULES

Rep. Wheeler moved to suspend **Rule 81 (1)**, relative to the time for placing bills on notice in Committee, so that House Bill No. 2217 can be heard by the Commerce Committee on Tuesday, April 12, 1988, which motion failed by the following vote:

Ayes.	22
Noes.	57
Present and not voting.	6

Representatives voting aye were: Buck, Chiles, Coffey, Cross, DeBerry, Duer, Gaia, Harrill, Hawkins, Henry, Herron, Holt, Hurley, Jones, U. (Shelby), King, Naifeh, Stafford, Swann, Tankersley, Wheeler, Winningham, Wix -- 22.

Representatives voting no were: Bewley, Bivens, Bragg, Burnett, Byrd, Cain, Collier, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), Dixon, Drew, Frensey, Good, Hassell, Head, Hillis, Hobbs, Holcomb, Huskey, Ivy, Jackson, Jones, R. (Shelby), Long, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Nance, Odom, Peroulas, Pruitt, Rhinehart, Ridgeway, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stallings, Starnes, Tanner, Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Whitson, Williams, Wolfe, Wood, Yelton -- 57.

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Representatives present and not voting were: Bushing, Clark, Crain, DePriest, Kernell, Purcell -- 6.

SPONSORS ADDED

Without objection, the rules were suspended to allow the following members to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 1837: Rep. Love added as a prime sponsor.

House Bill No. 2193: Rep. Herron added as a prime sponsor.

House Bill No. 2416: Rep. Love added as a prime sponsor.

INTRODUCTION OF RESOLUTIONS

House Resolution No. 0125 -- Memorials, Personal Achievement -- Congratulates Tommy Ward on winning American Legion Oratorical Contest. by *DePriest.

The Speaker referred House Resolution No. 125 to the Calendar and Rules Committee.

House Joint Resolution 0679 -- Memorials, Professional Achievement -- Commends William Lampley, Jr. for professional accomplishments as public accountant. by *Gaia, *Kernell, *Turner C.

The Speaker referred House Joint Resolution No. 679 to the Calendar and Rules Committee.

House Joint Resolution 0680 -- Memorials, Professional Achievement -- Honors Marjorie "Christine" Achord Lampley on professional and personal accomplishments. by *Gaia, *Kernell, *Turner C.

The Speaker referred House Joint Resolution No. 680 to the Calendar and Rules Committee.

House Joint Resolution 0681 -- Memorials, Public Service -- Honors Richard Fulton for longtime service to Nashville and Tennessee. by *Robinson Robb, *Bushing, *West, *Chiles, *Clark, *Ellis, *Garrett, *Pruitt, *Purcell, Odom, Love.

The Speaker referred House Joint Resolution No. 681 to the Calendar and Rules Committee.

House Joint Resolution 0682 -- Memorials, Professional Achievement -- Honors Robert Baltz, leader in Nashville business community. by *Ellis, *West.

The Speaker referred House Joint Resolution No. 682 to the Calendar and Rules Committee.

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House Joint Resolution 0683 -- Memorials, Sports -- Honors Scott County Junior Varsity All-Star girls' basketball team on winning Junior Pro League national championship. by *Winningham.

The Speaker referred House Joint Resolution No. 683 to the Calendar and Rules Committee.

House Joint Resolution 0684 -- Memorials, Sports -- Honors Coach Steve Asberry and Pickett County High School boys' basketball team. by *Winningham.

The Speaker referred House Joint Resolution No. 684 to the Calendar and Rules Committee.

House Joint Resolution 0685 -- Memorials, Sports -- Honors Coach Tim West and Oneida High School girls' basketball team on reaching TSSAA Class A state tournament. by *Winningham.

The Speaker referred House Joint Resolution No. 685 to the Calendar and Rules Committee.

House Joint Resolution 0686 -- Memorials, Sports -- Honors Coach Kevin Bray and Jackson County High School boys' basketball team. by *Winningham.

The Speaker referred House Joint Resolution No. 686 to the Calendar and Rules Committee.

SENATE JOINT RESOLUTIONS (Congratulatory and Memorializing)

Senate Joint Resolution 0425 -- Memorials, Sports -- Honors Coaches John and Sherrie Pipkin and University School of Jackson girls' basketball team on reaching the second round of the TSSAA Class A state tournament.

The Speaker referred Senate Joint Resolution No. 425 to the Calendar and Rules Committee.

Senate Joint Resolution 0426 -- Memorials, Sports -- Honors Coach Steve Patterson and Gibson County High School girls' basketball team on reaching second round of TSSAA Class AA state tournament.

The Speaker referred Senate Joint Resolution No. 426 to the Calendar and Rules Committee.

Senate Joint Resolution 0427 -- Memorials, Sports -- Honors Coach Joe Holloway and Jackson Northside High School girls' basketball team on reaching second round of TSSAA Class AAA state tournament.

The Speaker referred Senate Joint Resolution No. 427 to the Calendar and Rules Committee.

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Senate Joint Resolution 0428 -- Memorials, Sports -- Honors Coach Mike Rader and Happy Valley High School girls' basketball team on reaching TSSAA Class AA state tournament.

The Speaker referred Senate Joint Resolution No. 428 to the Calendar and Rules Committee.

Senate Joint Resolution 0429 -- Memorials, Sports -- Honors Coach Chuck West and Dresden High School boys' basketball team on reaching semifinal round of TSSAA Class A state tournament.

The Speaker referred Senate Joint Resolution No. 429 to the Calendar and Rules Committee.

Senate Joint Resolution 0431 -- Memorials, Sports -- Honors Coach Kyle Bills and Lincoln County High School boys' basketball team on reaching TSSAA Class AAA state tournament.

The Speaker referred Senate Joint Resolution No. 431 to the Calendar and Rules Committee.

Senate Joint Resolution 0432 -- Memorials, Public Service -- Honors USS Tennessee, largest undersea warship.

The Speaker referred Senate Joint Resolution No. 432 to the Calendar and Rules Committee.

INTRODUCTION OF BILLS

House Bill No. 2501 -- Hardin County -- Levies hotel/motel tax. by *Wolfe.

Passed first consideration.

SENATE BILLS ON FIRST CONSIDERATION

***Senate Bill No. 0339** -- Health -- Held on the Clerk's desk pending third consideration of the Companion House Bill No. 726.

Senate Bill No. 1136 -- Professions, Businesses and Trades -- Held on the Clerk's desk pending third consideration of the Companion House Bill No. 1026.

***Senate Bill No. 1437** -- Credit, Consumer -- Held on the Clerk's desk pending third consideration of the Companion House Bill No. 1450.

Senate Bill No. 1487 -- Prisoners and Inmates -- Held on the Clerk's desk pending third consideration of the Companion House Bill No. 1365.

***Senate Bill No. 1502** -- Corporations, Not for Profit -- Held on the Clerk's desk pending third consideration of the Companion House Bill No. 1856.

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***Senate Bill No. 1644** -- Motor Vehicles -- Held on the Clerk's desk pending third consideration of the Companion House Bill No. 2146.

Senate Bill No. 2303 -- Apportionment, Legislative -- Held on the Clerk's desk pending third consideration of the Companion House Bill No. 2099.

HOUSE BILLS ON SECOND CONSIDERATION

House Bill No. 2499 -- Kingston -- Passed second consideration and held on the Clerk's desk.

House Bill No. 2500 -- Smith County -- Passed second consideration and held on the Clerk's desk.

ENROLLED BILLS

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Resolution No. 120; and find same correctly enrolled and ready for the signature of the Speaker.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

SIGNED

The Speaker announced that he had signed the following: House Bill No. 1765.

MESSAGE FROM THE GOVERNOR

MR. SPEAKER:

I am directed by the Governor to return herewith: House Bills Nos. 1500, 1743, 1792, 1947, 1998, 2052, 2102, 2126, 2157, 2297, 2365, 2432, 2436; House Joint Resolution No. 464, with his approval.

DAVID H. WELLES,
Counsel to the Governor.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bill No. 1386; passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

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Senate Bill No. 1386 -- Sunset Laws -- Extends termination date of the Department of Agriculture. Amends TCA, Title 4, Chs. 3, 7, 29, 31; Title 5, Ch. 9, Pt. 1; Title 8, Chs. 23, 36; Title 11, Chs. 4, 26; Title 39, Ch. 3; Titles 43, 44, 47; Title 49, Ch. 50; Title 53; Title 57, Chs. 3, 7, 8; Title 62, Ch. 21; Title 63, Ch. 12; Title 64, Ch. 1; Title 68, Chs. 8, 14, 27; Title 69, Chs. 6, 7; Title 71, Ch. 5.

ENGROSSED BILLS

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bills Nos. 1460 and 2406; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos. 1453, 1594, 1602, 1603, 1606, 1654, 1690, 1897, 2330 and 2391; all substituted for Senate Bills on same subjects and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

ENGROSSED BILLS

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bill No. 1940; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Joint Resolutions Nos. 444, 476, 489, 562, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660 and 663; all concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

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MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No. 2486; substituted for Senate Bill on same subject and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

ENGROSSED BILLS

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bills Nos. 2451, 2490 and 2497; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

ENGROSSED BILLS

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bill No. 2494; and House Joint Resolutions Nos. 587, 676, 677 and 678; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

ENGROSSED BILLS

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bills Nos. 2156 and 2416; and House Joint Resolution No. 667; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

*
MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution No. 461, adopted for concurrence

CYLDE W. McCULLOUGH, JR.
Chief Clerk.

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Senate Joint Resolution No. 0461 -- Memorials, Government Officials -- Requires UT and Solid Waste Authority of Knoxville and Knox County to work together to choose alternate site for new solid waste incinerator.

LOCAL BILLS TRANSMITTED TO CALENDAR AND RULES

In accordance with Rule No. 48, the following local bill, having received authorization for passage by the local legislative delegation, was transmitted to the Committee on Calendar and Rules: House Bill No. 2500.

**REPORT OF COMMITTEE ON CALENDAR AND RULES
CONSENT CALENDAR**

MR. SPEAKER: The officers of your Committee on Calendar and Rules beg leave to report that we have met and set the following bills and/or resolutions on the Consent Calendar for Wednesday, April 13, 1988: House Resolution No. 125; House Joint Resolutions Nos. 679, 680, 681, 682, 683, 684, 685 and 686; House Bill No. 2500; Senate Joint Resolutions Nos. 425, 426, 427, 428, 429, 431 and 432.

PHILLIPS, Chairman.

ROLL CALL

The roll call was taken with the following results:

Present 96

Representatives present were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensey, Gaia, Garrett, Good, Harriell, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 96.

On motion of Rep. Naifeh, the House adjourned until 2:00 p.m., Wednesday, April 13, 1988.